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[EXEMPT FROM FILING FEES
PURSUANT TO GOVERNMENT
CODE § 6103]

9 Attorneys for Defendants
10 CITY OF PALOS VERDES ESTATES and
11 CHIEF OF POLICE JEFF KEPLEY

12 **UNITED STATES DISTRICT COURT**

13 **CENTRAL DISTRICT OF CALIFORNIA; WESTERN DIVISION**

14 CORY SPENCER, an individual;
15 DIANA MILENA REED, an
individual; and COASTAL
16 PROTECTION RANGERS, INC., a
California non-profit public benefit
corporation,

17 Plaintiffs,

18 v.

19 LUNADA BAY BOYS; THE
20 INDIVIDUAL MEMBERS OF
THE LUNADA BAY BOYS,
including but not limited to SANG
21 LEE, BRANT BLAKEMAN,
ALAN JOHNSTON aka JALIAN
22 JOHNSTON, MICHAEL RAE
PAPAYANS, ANGELO
23 FERRARA, FRANK FERRARA,
CHARLIE FERRARA and N.F.;
24 CITY OF PALOS VERDES
ESTATES; CHIEF OF POLICE
25 JEFF KEPLEY, in his
representative capacity; and DOES
26 1-10,

27 Defendants.

Case No. 2:16-cv-02129-MWF-RAO

Assigned to
District Judge: Hon. Michael W.
Fitzgerald
Courtroom: 5A First Street Courthouse

Assigned Discovery:
Magistrate Judge: Hon. Rozella A. Oliver

[EXEMPT FROM FILING FEES
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6103]

**SUPPLEMENTAL DECLARATION
OF KEVIN J. GROCHOW IN
SUPPORT OF DEFENDANTS CITY
OF PALOS VERDES ESTATES AND
CHIEF OF POLICE JEFF KEPLEY'S
SUR-REPLY TO PLAINTIFFS'
MOTION TO STAY
ENFORCEMENT OF COSTS
JUDGMENT**

Vacated Date: July 20, 2020

Complaint Filed: March 29, 2016
Trial: N/A

SUPPLEMENTAL DECLARATION OF KEVIN J. GROCHOW

I, Kevin J. Grochow, declare as follows:

3 1. I am a partner with the law firm Kutak Rock, LLP, counsel of record
4 for Defendants City of Palos Verdes Estates and Chief of Police Jeff Kepley
5 (collectively, “Defendants”) in the above captioned action. I am a member in good
6 standing of the State Bar of California. I have personal knowledge of the facts set
7 forth in this Declaration and, if called as a witness, could and would competently
8 testify to such facts under oath.

9 2. A true and correct copy of the July 14, 2020 Order Granting Defendant
10 City of Palos Verdes Estates’ (“City”) Motion for Judgment on the Pleadings with
11 Leave to Amend in *Spencer, et al. v. Lunada Bay Boys, et al.*, Case No. BC629596
12 (Los Angeles County Superior Court) is attached as Exhibit A to Defendants’
13 Supplemental Request for Judicial Notice (“SRJN”), with relevant portions
14 highlighted.

15 3. A true and correct copy of the Court's July 14, 2020 Minute Order
16 granting Defendant's Motion for Judgment on the Pleadings in *Spencer, et al. v.*
17 *Lunada Bay Boys, et al.*, Case No. BC629596 (Los Angeles County Superior Court)
18 is attached as Exhibit B to Defendants' SRJN.

19 4. A true and correct copy of the Reporter's Transcript of Proceedings
20 from the July 9, 2020 hearing on the City's Motion for Judgment on the Pleadings
21 in *Spencer, et al. v. Lunada Bay Boys, et al.*, Case No. BC629596 (Los Angeles
22 County Superior Court) is attached as Exhibit C to Defendants' SRJN, with
23 relevant portions highlighted.

24 I declare under penalty of perjury under the laws of the United States of
25 America that the foregoing is true and correct to the best of my knowledge.

Executed this 15th day of July, 2020 at Irvine, California.

s/ Kevin J. Grochow

Kevin J. Grochow

CERTIFICATE/PROOF OF SERVICE

Spencer, et al. v. Lunada Bay Boys, et al.

USDC Central District Case No. 2:16-cv-02129-MWF-RAO

I, Joanne Kenney, declare:

I am a citizen of the United States and employed in Orange County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 5 Park Plaza, Suite 1500, Irvine, California 92614-8595.

On July 15, 2020, I electronically filed the attached document:

**SUPPLEMENTAL DECLARATION OF KEVIN J. GROCHOW IN
SUPPORT OF DEFENDANTS CITY OF PALOS VERDES ESTATES
AND CHIEF OF POLICE JEFF KEPLEY'S SUR-REPLY TO
PLAINTIFFS' MOTION TO STAY ENFORCEMENT OF COSTS
JUDGMENT**

with the Clerk of the court using the CM/ECF system which will then send a notification of such filing to the following:

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I hereby certify that I deposited such envelope in the mail at Irvine, California. The envelope was mailed with postage thereon fully prepaid. I am

readily familiar with the firm's practice for collection and processing documents for mailing. Under that practice, this(these) document(s) will be deposited with the U.S. Postal Service on this date with postage thereon fully prepaid at Irvine, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of California
that the above is true and correct.

Executed on **July 15, 2020**, at Irvine, California.

Margo Reyes
Margo Reyes

SERVICE LIST

Spencer, et al. v. Lunada Bay Boys, et al.

USDC Central District Case No. 2:16-cv-02129-MWF-RAO

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